

REMARKS

Claims 1-38 are pending. Claims 1-23, 29-32 and 35-38 are withdrawn from consideration.

Claims 24-26, 33 and 34 have been rejected under 35 U.S.C. 103 as being unpatentable over Domain in view of Official Notice.

The Examiner admits that Domain does not disclose an assignment arrangement for automatically assigning a specific purchase pick-up point to a customer when the customer is identified. However, based upon *In re Venner*, the Examiner takes the position that broadly providing automatic means to replace manual activity involves only routine skill in the art.

In response, claim 24 have been amended to more specifically define the claimed invention over the prior art.

In particular, claim 24, as amended, recites a system for selling goods having multiple purchase obtaining facilities for enabling customers to obtain pre-ordered purchases.

At least one of the purchase obtaining facilities comprises:

- multiple purchase pick-up points,
 - an identification station for receiving identification (ID) data provided by a customer,
- and
- a control system for receiving the ID data from the identification station to automatically assign a purchase pick-up point of the multiple purchase pick-up points to the customer in order to increase throughput of the purchase obtaining facility when the customer arrives to pick up a pre-ordered purchase.

It is respectfully submitted that does not teach or suggest an identification station for receiving identification (ID) information from the customer that arrives to obtain the purchase

ordered in advance, and a control system for receiving the ID information from the identification station to automatically assign a pick-up station of said multiple purchase pick-up stations to the customer.

Instead, Domain discloses that “the customer receives instructions from the order clerk as to which pick-up station to drive to.” Moreover, the reference does not disclose that the customer provides any ID information for assigning a pick-up station.

Further, Domain does not suggest assigning a pick-up station to the customer in order to increase throughput of the retail facility when the customer arrives to obtain a pre-ordered purchase. Instead, Domain teaches that the orders placed in advance are picked up through the drive-in or walk-up windows rather than at the pick-up stations. The reference does not suggest assigning these drive-in or walk-up windows to customers to increase the throughput of the facility for customers that arrive to pick-up the orders.

Moreover, it is submitted that Domain does not address the problem of increasing the throughput of the retail facility when the pick-up stations are assigned. The pick-up stations of Domain are provided to obtain goods ordered at the retail facility. Therefore, one skilled in the art would realize that customers should wait a substantial period of time until their ordered goods are collected from different vendors, packed and delivered to the assigned pick-up station. This time period substantially exceeds any waiting period associated with a line at the pick-up station. Accordingly, assigning the pick-up stations does not increase the throughput of the Domain system.

Hence, Domain does not disclose the subject matter of independent claim 24. The dependent claims 25-26, 33 and 34 are defined over the prior art at least for the reasons presented above in connection with claim 24.

Moreover, Domain does not teach or suggest:

the identification station configured for providing the customer with information identifying the specific purchase pick-up point assigned to the customer, as claim 25 requires; and

the control system responsive to the ID data for issuing a request to collect the pre-ordered purchase for delivery to the purchase pick-up point assigned to the customer, as claim 26 requires.

Further, the reference does not disclose the subject matter of claims 33 and 34.

Regarding these claims, based on *In re Lindberg*, the Examiner takes the position that making an old device portable or movable without producing any new and unexpected result involves only routine skill in the art.

The Examiner's position is respectfully traversed.

Claim 33 recites that the purchase pick-up point provides a purchase pick-up arrangement movable within the purchase obtaining facilities.

Claim 34 specifies that an arrangement for delivery a purchase to the customer from a storage area is used as the purchase pick-up arrangement.

Therefore, the claimed movable arrangement enables a retailer to use a delivery arrangement, such as a storage card, as the purchase pick-up point.

Accordingly, it cannot be said that the movable pick-up point does not provide new and unexpected result.

Claims 27 and 28 have been rejected under 35 U.S.C. 103 as being unpatentable over Domain in view of Josef.

Claim 27 dependent from claim 26 has been amended to recite that the control system (that automatically assigns a purchase pick-up point, as claim 24 recites) is configured for providing a reference value to compare weight of the collected purchase with the reference value in order to inspect the collected purchase (to be delivered to the assigned pick-up point, as claim 26 recites).

Claim 28 specifies that the reference value is determined at a central storage facility of the system before delivery to the purchase obtaining facility.

It is respectfully submitted that neither of the references teaches or suggests this subject matter.

Therefore, these claims, as amended, are defined over the prior art.

In view of the foregoing, and in summary, claims 24-28 and 33-34 are considered to be in condition for allowance. Favorable reconsideration of this application is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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